



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Marian A. DEVONEC

Group Art Unit: 3763

Application No.: 09/826,207

Examiner: C. Rodriguez

Filed: April 5, 2001

Docket No.: 039179.01

For: THERAPEUTIC DEVICE FOR THE SELECTIVE CYTOREDUCTION
TREATMENT OF AN OBSTRUCTION IN A NATURAL LUMEN OR PASSAGE
OF THE HUMAN OR ANIMAL BODY

TERMINAL DISCLAIMER

Director of the U.S. Patent and Trademark Office : 02/12/2003 SSESHE1 00000135 09826207
Washington, D.C. 20231 : 04 FC:1814 110.00 GP

Sir:

Your Petitioner, Marian Devonec, represents that he is the owner of a 100% interest in the above-identified patent application by virtue of the fact that he invented the subject matter described therein and he has not assigned his rights to another party. The undersigned also certifies that he is empowered to execute this Terminal Disclaimer on behalf of Marian Devonec.

Your Petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term as presently shortened by any Terminal Disclaimer, of U.S. Patent No. 6,238,368 issued May 29, 2001 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said U.S. Patent shall be the same as the legal title to any patent issuing from the above-identified application, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term as presently shortened by any Terminal Disclaimer of said U.S. Patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

Our Check No. 138964 in the amount of 110.00 is attached in accordance with 37 CFR 1.20(d). The U.S. Patent and Trademark Office is authorized to debit Deposit Account No. 15-0461 in the amount necessary to effect filing of this Terminal Disclaimer.

DATE: 02/11/03

SIGNED:

RECEIVED

TYPED NAME:

William P. Berridge

FEB 21 2003

TITLE OR REGISTRATION NO.
OF ATTORNEY OF RECORD:

30,024

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